

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

NORTHEAST CONTROLS, INC.,
3 Enterprise Avenue
Clifton Park
New York, NY 12065

ST. PAUL MERCURY
INSURANCE COMPANY
385 Washington Street
St. Paul, MN 55102

Plaintiffs,

v.

FISHER CONTROLS
INTERNATIONAL, LLC.
205 S. Center Street
Marshalltown, Iowa 50158

Defendant.

Case No.: 06-412

**NOTICE OF DEPOSITION OF
DEAN F. MURTAGH**

To: J. Scott Shannon, Esquire
Marshall Dennehey Warner
Coleman & Goggin
1220 N. Market Street
5th Floor
Wilmington, DE 19801

Thomas P. Wagner, Esquire
Marshall Dennehey Warner
Coleman & Goggin
1845 Walnut Street
Philadelphia, PA 19103

PLEASE TAKE NOTICE that, Defendant, by and through its attorneys of record, will take the testimony on oral examination of **Dean F. Murtagh**, pursuant to Rule 30 of the Federal Rules of Civil Procedure, before an official Court Reporter, a Notary Public, or in case of his/her inability to act or be present, before some other officer authorized to administer

**NOTICE OF DEPOSITION
OF DEAN F. MURTAGH**
4843-8685-8497.01
092007/1205

oaths, on , **October 11, 2007, at 9:00 a.m.** of said day at **Maron Marvel Bradley & Anderson, P.A., 1201 North Market Street, Suit 900, Wilmington, DE 19801.**

PLEASE TAKE FURTHER NOTICE that the deponent is commanded to produce the items described in Exhibit A (attached hereto) pursuant to the production schedule described in Exhibit A.

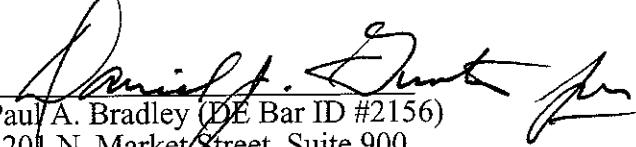
The deposition shall be continued from day to day until completed, excluding weekends and holidays. The deposition shall be recorded stenographically, and/or on audiotape.

If you have any questions or issues regarding the notice, please contact Patrick D. McVey or Daniel J. Gunter, RIDDELL WILLIAMS P.S., 1001 Fourth Avenue, Suite 4500, Seattle, WA 98154, (206) 624-3600, who will be responsible for the deposition on behalf of the Defendants.

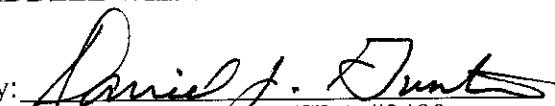
DATED this 20th day of September, 2007.

**ATTORNEYS FOR DEFENDANT
FISHER CONTROLS INTERNATIONAL, LLC**

MARON MARVEL BRADLEY & ANDERSON

By: 
Paul A. Bradley (DE Bar ID #2156)
1201 N. Market Street, Suite 900
P.O. Box 288
Wilmington, DE 19899

RIDDELL WILLIAMS P.S.

By: 
Patrick D. McVey, WSBA #8489
Daniel J. Gunter, WSBA #27491
1001 Fourth Avenue, Suite 4500
Seattle, WA 98154

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 20th day of September, 2007, I caused to be served a true and correct copy of the foregoing document by the method indicated below and addressed as follows:

Mr. Thomas P. Wagner Mr. J. Scott Shannon Marshall Dennehey Warner Coleman & Goggin 1845 Walnut Street Philadelphia, PA 19103 Ph: 215.575.4562 Fax: 215.575.0856	()	U.S. Mail Hand Delivery Facsimile Overnight Mail Email
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Molly J. McInnis
Molly J. McInnis
Executive Assistant
Riddell Williams, P.S.

EXHIBIT A

A. Produce 7 days in advance of deposition to:

**Mr. Patrick D. McVey
Mr. Daniel J. Gunter
Riddell Williams P.S.
1001 Fourth Avenue, Suite 4500
Seattle, WA 98154**

1. Your Curriculum Vitae;
2. Your working file in this matter;
3. Your billing statements reflecting all work done by you in preparing your expert report or in formulating your opinion in this case;
4. Each and every document reviewed by you or utilized by you in preparing your expert report or in formulating your opinion in this case;
5. Each and every tangible thing reviewed by you or utilized by you in preparing your expert report or in formulating your opinion in this case;
6. Any and all photographs, charts, drawings, videotapes, diagrams, or other graphic representations or documents prepared by you or reviewed by you which relate to plaintiff's claim or your opinion in the case;
7. Any and all textbooks, treatises, articles, studies, abstracts or other documents that support the opinions in your report;
8. Any exhibits or demonstrative aids you plan to rely on at the trial in this matter; and
9. A list of the cases in which you have testified in the last four years.